IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 389 OF 2007
IN
APPLN. FOR APPOINTMENT OF ARBITRATOR NO. 22 OF 2004

SHIVAM ENGINEERS & SHIPWRIGHTS PVT.LTD.,PORVORIM. ... Applicant

Versus

SHREE SAGAR STEVEDORES,GUJARAT. ... Respondent

Mr. S. D. Padiyar, Advocate for the applicant.

Coram:- R. S. MOHITE, J.

Date:- 21st September, 2007

P.C.

The application is misconceived. It is made out of a disposed off matter being Application for Appointment of Arbitrator No. 22/04. That application was disposed off finally by an Order dated 21.04.2005, after hearing both the sides. On perusal of Application for Appointment of Arbitrator No. 22/04, it is clear that arbitration was sought in respect of dispute arising of Agreement dated 10.11.2000. Therefore, the final Order passed in that Arbitration Application only appoints an Arbitrator in respect of disputes which have arisen pursuant to Agreement dated 10.11.2000. It is now contended that there was another Agreement dated 10.09.1999. That agreement was not the subject matter dealt with in the Application for Appointment of Arbitrator No. 22/04. Hence, with liberty to take appropriate proceedings as permissible by law, this Misc Civil Application is dismissed.

R. S. MOHITE, J.

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